

REMARKS

In the Office Action mailed March 7, 2003, the Examiner finally rejected claims 1 to 25 and in the Advisory Action mailed June 24, 2003 confirmed the final rejection. The rejections are each respectfully traversed. This Response "c" cancels claim 3, amends claims 1, 2, 4, 5, 9, 11, 13, 14, 16, 22, and 23, and adds no new claims. Accordingly, claims 1, 2, and 4 to 25 remain pending in this application.

Claims 1 to 25 were rejected under 35 U.S.C. 102(b) as anticipated by Harney (US 5,014,958) in view of Mitas et al. (US 6,216,851). The Examiner stated that "Harney does not specifically show a hollow rivet with a central bore having an internal diameter, wherein the central bore extends for a length less than the total length of the body portion wherein the central bore is open at the end of the body portion opposite the head portion and is closed toward the body portion and wherein the body portion is expanded outwardly within the apertures to engage the links" and "Mitas et al. shows wherein the body portion is expanded outwardly within the apertures to engage the desired secured surfaces, used in order to reduce movement of the secured surfaces", and "therefore it would have been obvious to someone skilled in the art at the time the invention was made to have used the hollow rivet of Mitas et al. in place of the rivet described by Harney in order to limit movement between the desired surfaces such as the links taught by Harney". In the Advisory Action, the Examiner stated that "the applicant has argues that the fastener shown in Mitas does not deform and engage both apertures at once, as shown by Fig. 7 of Mitas, the fastener has both these limitations.

Claim 1 and claims dependent therefrom are allowable because they each include the limitation "wherein said body portion extends through said first and second apertures and is plastically deformed so that the body portion is expanded outwardly between the head portion and the lip and within the first and second apertures to engage the first and second links within the first and second apertures whereby the fastener secures the first and second links to allow relative rotational movement between the first and second links while preventing relative linear motion therebetween". No prior art of record reasonably discloses or suggests the present

invention as defined by claim 1. The Harney specification is silent as to the type of rivet 220 that is used but figures 4 and 7 clearly show that rivet 220 is a solid rivet and does not have a central bore of any kind. Mitas et al disclose a rivet having a blind hollow cavity 38 formed by walls 36. During installation the end of the walls 36 are deformed to engage inclined or frusto-conically-shaped countersink 56 formed at the end of an aperture 26. The rivet walls 36 are deformed only at their ends to form a lip which engages the countersink 56 and secure the rivet in the aperture 26. The walls are not deformed between the head and the deformed ends forming the lip within both the apertures to engage both of the apertures of the two members as claimed". Therefore , even assuming that Harney and Mitas et al are permissibly combinable, the combination still does not disclose or reasonably suggest the present invention as defined by claim 1. Applicants do not understand the examiner's reference to FIG. 7 of Mitas as showing these limitations. Figure 7 does not include the rivet 22 and therefore cannot show these limitations. Reference to Figures 10 and 11 of Mitas which illustrate the rivet 220, clearly show that there is not any outward deformation of the rivet between the deformed ends and the head. Reconsideration and withdrawal of the rejection is requested.

Claim 13 and claims dependent therefrom are allowable because they each include the limitations that "wherein said body portion extends through said first and second apertures and is plastically deformed so that the body portion is expanded outwardly between the head portion and the lip within the first and second apertures to engage the first and second links within the first and second apertures whereby the fastener secures the first and second links to allow relative rotational movement between the first and second links while preventing relative linear motion therebetween". No prior art of record reasonably discloses or suggests the present invention as defined by claim 13. See arguments made in detail above with regard to claim 1 and which also apply to claim 13.. Reconsideration and withdrawal of the rejection is requested.

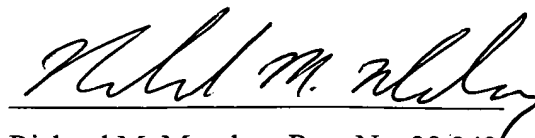
In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is found that that the present amendment does not place the application in a condition for allowance, applicant's undersigned attorney requests that the examiner initiate a telephone interview to expedite prosecution of the application.

If there are any fees resulting from this communication, please charge same to our
Deposit Account No. 16-2326.

Respectfully submitted,

PORTER, WRIGHT, MORRIS & ARTHUR LLP

September 5 2002

A handwritten signature in cursive script, appearing to read "Richard M. Mescher", written over a horizontal line.

Richard M. Mescher, Reg. No. 38,242

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